

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA, )  
v. )  
ARTHUR GIANELLI, ET AL, )  
Defendants, )  
CRIMINAL ACTION  
NO. 05-10003-NMG

**FINAL STATUS REPORT**  
**August 9, 2007**

HILL MAN, M.J.

The following is a Final Status Report to Gorton, J. to whom this case is assigned:

## **1. Local Rule 116.5(C) (1) - Outstanding Discovery**

There are no outstanding discovery issues that have yet to be presented or resolved at this time.

## **2. Local Rule 116.5 (C) (2) - Additional Discovery**

The parties do anticipate providing additional discovery as the result of their future receipt of information, documents or reports of examinations or tests (i.e. expert testimony, exculpatory evidence, Jencks Act material, cooperating witnesses, etc.).

### **3. Local Rule 116.5 (C) (3) - Defenses**

No Defendant intends to raise a defense of insanity or public authority.

**4. Local Rule 116.5 (C) (4) - Alibi**

The Government has not requested a notice of alibi by any Defendant.

**5. Local Rule 116.5 (C) (5) - Motions**

At this time, the Defendants intend to file motions which will require evidentiary hearings and a ruling by the District Court before trial. To the extent possible, those motions will be jointly filed.

**6. Local Rule 116.5 (C) (6) - Schedule**

Defendants have been given until December 7, 2007, to file any dispositive motions. The Government shall have until January 17, 2008 to file a response.

**7. Local Rule 116.5(C) (7) - Early Resolution**

The parties have discussed an early resolution without trial and continue to have these discussions. However, at this time the case is proceeding for the hearing of dispositive motions.

**8. Local Rule 116.5 (C) (8) - Excludable Time**

At the request of the Government and with the consent of all Defendants, I am excluding from the provisions of the Speedy Trial Act the period from August 8, 2007 (date of the expiration of the prior order of excludable time) through and including January 17, 2008. Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Thursday, March 27, 2008.

/s/Timothy S. Hillman  
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TIMOTHY S. HILLMAN  
MAGISTRATE JUDGE